

DENIED without prejudice. The Vermont Legislature's recent amendments to § 2801(a) appear to effect the substance, enforcement, and objective of the statute. See 13 V.S.A. § 2802(a) as amended, June 2, 2001. Therefore, a ruling on the law as previously promulgated would serve no purpose.
Dated at Brattleboro, Vermont this 5TH day of June, 2001.

J. Sarvan Murtha, Chief Judge

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

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AMERICAN BOOKSELLERS FOUNDATION
FOR FREE EXPRESSION; AMERICAN CIVIL
LIBERTIES UNION OF VERMONT; ASSOCIATION
OF AMERICAN PUBLISHERS; FREEDOM TO READ
FOUNDATION; NATIONAL ASSOCIATION OF
RECORDING MERCHANDISERS; NORTHSHIRE
INFORMATION, INC.; PSINET INC.; RECORDING
INDUSTRY ASSOCIATION OF AMERICA, INC.;
THE SEXUAL HEALTH NETWORK, INC.,

Plaintiffs,

v.

Civil No. 1:01-CV-46

HOWARD DEAN, in his official capacity as
GOVERNOR OF THE STATE OF VERMONT;
WILLIAM H. SORRELL, in his official
capacity as ATTORNEY GENERAL OF THE
STATE OF VERMONT; LAUREN BOWERMAN,
DAN M. DAVIS, KEITH W. FLYNN, DALE O. GRAY,
JAMES A. HUGHES, VINCENT ILLUZZI,
JAMES D. McKNIGHT, JAMES P. MONGEON,
JOEL W. PAGE, JOHN T. QUINN, GEORGE E. RICE,
ROBERT L. SAND, TERRY J. TRONO,
and WILLIAM D. WRIGHT, in their official capacities
as VERMONT STATE'S ATTORNEYS,

Defendants.

MOTION FOR PRELIMINARY OR PERMANENT INJUNCTION

Pursuant to Fed. R. Civ. Proc. 65, plaintiffs herein move for preliminary or permanent injunction against the enforcement of amendments to 13 V.S.A. 2802(a) which impose criminal penalties on the availability, display, and dissemination of constitutionally protected speech on the Internet. In support of

this motion, plaintiffs rely on the accompanying memorandum of law and declarations.

Pursuant to Local Rule 7.1(b), plaintiffs have sought the concurrence of opposing counsel, which was not provided.

Dated: 4/17/2001

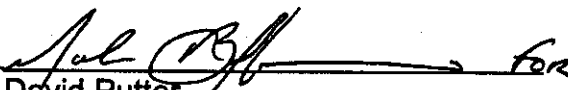
Respectfully submitted,



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Liberties Union of Vermont